

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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MIA B. SCAFFIDI,

Plaintiff,

v.

Case No. 05-C-1046

FISERV, INC.,

Defendant.

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**ORDER**

On July 20, 2006, the court granted the defendant's motion to compel arbitration and dismiss this action. On February 28, 2007, the Seventh Circuit affirmed. On November 26, 2007, *pro se* plaintiff Mia B. Scaffidi filed a motion pursuant to Federal Rule of Civil Procedure 60(b)(3) and (6), seeking relief from this court's July 20, 2006 order.

The court will deny Scaffidi's motion. The substance of Scaffidi's motion is that the defendant did not take the initiative to resume arbitration proceedings after Scaffidi lost her appeal. Notably, Scaffidi does not describe any efforts that she took to resume the arbitration proceedings nor does she point to any arbitration rule or procedure that absolves her of the primary responsibility for pursuing her own claims of discrimination. After reviewing all of the materials that Scaffidi filed, the court does not find any basis that warrants granting Scaffidi's motion. Additionally, the court denies Scaffidi's motion as untimely. See Fed. R. Civ. P. 60(c)(1) ("A motion

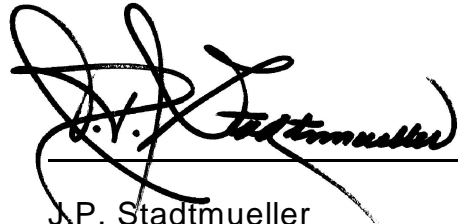
made under Rule 60(b) must be made within a reasonable time – and for reasons (1), (2), and (3) no more than a year after the entry of the judgment or order or the date of the proceeding.”).

Accordingly,

**IT IS ORDERED** that the plaintiff’s motion for relief (docket #30) be and the same is hereby **DENIED**.

Dated at Milwaukee, Wisconsin, this 10th day of January, 2008.

BY THE COURT:



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J.P. Stadtmueller  
U.S. District Judge